

CITY OF ANGELS CITY COUNCIL MINUTES

Tuesday, June 1, 2010

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris, Craig Turco and Rick Downey

Staff Present: David Richards, Richard Matranga, Todd Fordahl, David Hanham, Melisa Ralston and Mary Kelly

4:30 p.m.

CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

5:25 p.m.

INTERVIEWS FOR 2 OPENINGS ON THE MUSEUM COMMISSION.

Interviewees: George Fry, James Luly, Renee Minard-Menzes and Robert Petithomme

6:00 p.m.

REGULAR MEETING

ACTION TAKEN IN CLOSED SESSION – MAY 19 and JUNE 1, 2010

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

Council Action: Direction given to negotiators

ACTION TAKEN IN CLOSED SESSIONS – JUNE 1, 2010

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

Council Action: Direction given to City Attorney

APPROVAL OF AGENDA

Council Member Downey asked for the removal of agenda items #1 and 2 (Bret Harte High School's Aquatic Facility). Council Member Turco said he would agree with removal of item #2, but would like the Council to move forward with item #1. The City Attorney explained that given because of a letter he received from Bret Harte High School's lawyer, there could be a case of potential litigation. He recommended both items be discussed under closed session at the next meeting.

The Council were polled and the request to pull items #1 and #2 having to do with Bret Harte High School's Aquatic Facility (and Sports Complex) was approved 4-1 with Council Member Turco voting 'NO'.

Direction: Item to be discussed under closed session at future Council meeting.

STAFF UPDATES

Dave Richards – City Administrator

- Attended the Board of Supervisor's meeting with Mayor Lynch.

Melisa Ralston – Finance Officer

- Provided a handout to the Council of the TOT special use funds.

Todd Fordahl – Interim Police Chief

- Reported on the music festival held at Frogtown. One officer was injured making an arrest and will be out on Worker's Comp leave for approximately 9 days. Todd asked the Council to consider asking the Ag. Association for funding for extra manpower if events this size will be continued in the future. Traffic control was needed for the days of the event besides other incidences the officers dealt with.
- **Direction: City Attorney to look into mitigation with the fairgrounds for possible funding for extra police manpower at sizeable events.**

Dave Hanham – Planning Director

- Provided an update of the façade grant. June 10th is the final application date. Construction to begin in early 2011.
- Reviewed staff report included in packet.

COUNCIL UPDATES

Council Member Morris

- Attended 2 budget workshops and Traffic Circulation meeting.
- Will be attending CCOG, LLD and Safety Services

Council Member Turco

- Reminded the Council to provide him or Elaine with comments to the County Hazard Mitigation Plan.

Council Member Downey

- Attended Infrastructure/Facilities meeting, 2 budget workshops, museum commission meeting and Foundation meeting and an informational meeting on the Wagon Wheel Realignment on Highway 4. Attended the Board of Supervisors meeting with Mayor Lynch and City Administrator.

Mayor Lynch

- Attended Board of Supervisors meeting regarding the County's biosolids disposal plan, 2 budget workshops and MOU closed sessions.

PUBLIC COMMENT

John Broeder – 1860 Finnegan Lane

Spoke of the odor on Finnegan. Council Member Downey explained there was a Powerpoint presentation at the last Infrastructure meeting which will be shown again at the June 15th Council meeting. The presentation showed three possible options for eliminating the odor on Finnegan.

Steve Difu – 576 Sasa

Asked if the BHHS swimming pool will be a benefit for the public. It was explained that this item will be discussed under closed session and nothing has been discussed regarding the public use of the pool.

Olen Murphy – Angels Camp resident

Publicly thanked the citizens for the opportunity to work for the City and voiced his appreciation for City staff's dedication. Read a statement into the record of his displeasure with the City Council in finding out through the newspapers that the Code Enforcement position was eliminated.

CONSENT AGENDA

Council Member Turco pulled item #b for discussion.

MOTION by Council Member Morris, seconded by Council Member Turco and carried 5-0 ADOPTING ITEM 'A' OF THE CONSENT AGENDA:

- a. Minutes of Regular meeting – May 18, 2010
- b. Cash Disbursements: Council Member Turco questioned a check payable to ACBA for \$2,975. There was no backup itemizing what was being paid. He requested this not be paid until justification is provided for the payment.

MOTION by Council Member Turco, seconded by Mayor Lynch and carried 5-0 APPROVING PAYMENT OF CASH DISBURSEMENTS WITH THE EXCEPTION OF CHECK #54681 (\$2,975) PAYABLE TO ACBA.

Direction: Item referred to Personnel/Finance

REGULAR AGENDA

1. **BRET HARTE HIGH SCHOOL AQUATIC FACILITY AND SPORTS COMPLEX** – Richard Matranga, City Attorney

ITEM PULLED FROM AGENDA

Direction: Referred to closed session

2. **BRET HARTE HIGH SCHOOL AQUATIC FACILITY (continued from May 18th Council meeting)** – Richard Matranga, City Attorney

ITEM PULLED FROM AGENDA

Direction: Referred to closed session

3. **REPAYMENT REQUEST TO UPA FOR DARBY FIRE EXPENSES** – Mayor Lynch, Council Member Turco

Vern Pyle – UPA

Vern explained that assessment funding paid by the City and UPUD for the Darby Fire were not meant to be repaid. He is totally against paying it back and if this becomes the case, UPA will need to cancel a project for the 2010/2011 fiscal year.

Karen Rojas – UPA

Referred to UPA's 2002 resolution where there was no mention of a loan. She asked if the City has ever been assessed by UPA for their water and how much.

Ray Behrbaum – UPUD

Stated that UPUD never expected UPA to repay these assessment funds. They felt this was not a loan.

Council Member Morris read a statement (attached) into the record voicing her objection to the repayment of the assessment. Council Member Turco stated that he is a member of both boards, UPA and the City Council, and feels the assessment was the expense to do business. He is not in favor of this now or in the future. Council Members Boeding and Downey stated they were also not in favor of the suggested repayment.

MOTION by Mayor Lynch REQUESTING REPAYMENT OF \$55,000 ASSESSMENT FOR THE DARBY FIRE EXPENSES FROM UTICA POWER AUTHORITY.

Motion died for lack of Second.

4. **APPOINTMENT TO MUSEUM COMMISSION: 2 SEATS** – Council

MOTION by Council Member Turco, seconded by Council Member Downey and carried 5-0 APPOINTING RENEE MINARD-MENZES TO FILL A VACANT SEAT ON THE MUSEUM COMMISSION – TERM FOR THREE (3) YEARS EXPIRING ON JUNE 30, 2013.

MOTION by Council Member Downey, seconded by Council Member Boeding and carried 5-0 APPOINTING ROBERT PETITHOMME TO FILL A VACANT SEAT ON THE MUSEUM COMMISSION – TERM FOR THREE (3) YEARS EXPIRING ON JUNE 30, 2013.

5. **CHAPPELLE STAIRS (DESIGN BID APPROVAL) (continued from May 18th Council meeting)** – Dave Hanham, Planning Director

MOTION by Council Member Boeding, seconded by Council Member Lynch with Council Members Morris, Turco and Downey voting 'NO' DIRECTING THE PLANNING DIRECTOR TO PROCEED

WITH BIDDING PROCESS FOR THE DESIGN AND CONSTRUCTION OF THE CHAPPELLE STAIRS.

Vote was 2 {YES}, 3 {NO}. MOTION DID NOT PASS

Direction: City Attorney to provide an opinion on what Proposition 1B funds can be used for.
Direction: Possible projects for funding by Proposition 1B funds to be discussed at Personnel Finance meeting.

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6. **FREEWAY MAINTENANCE AGREEMENT (referred by Facilities/Infrastructure)** – Dave Hanham, Planning Director

MOTION by Council Member Downey, seconded by Council Member Boeding and carried 5-0 ADOPTING RESOLUTION NO. 10-15. A RESOLUTION APPROVING A FREEWAY MAINTENANCE AGREEMENT BETWEEN THE CITY OF ANGELS AND THE STATE OF CALIFORNIA

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7. **BANK SIGNATURE CARDS** – Mary Kelly, Director of Administrative Services

MOTION by Council member Morris, seconded by Council Member Turco and carried 5-0 ADOPTING RESOLUTION NO. 10-14. A RESOLUTION APPROVING SIGNATURE AUTHORITY FOR ELECTED OFFICIALS AND CITY ADMINISTRATOR

MEETING ADJOURNED AT 8:05 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk